

REMARKS

Claims 1-6, 8-13 and 15-21 are pending in this application, of which claims 1, 4-6, 8-13, 16 and 20-21 have been amended. Claims 7, 14 and 22 have been canceled. No new claims have been added.

Claims 16-19 and 21-22 stand rejected under 35 U.S.C. § 102(b) as anticipated by **Mazda** (previously applied).

Applicant respectfully traverses this rejection.

Mazda discloses a ramp loading method when a power failure occurs. In this method, in case of a power failure when seeking the VCM (head), the controller drives the VCM by a constant voltage control to move the head toward the inner (S160 in FIG. 2) and reverse drives the VCM by a constant voltage control to move the head toward the outer (ramp) when the speed of the head is constant in an inner direction. Then the speed of the head is constant before the ramp and the head is loaded on the ramp.

Furthermore, **Mazda** discloses detection of the velocity of the head (VCM) by detecting VCM current in the sense amp 25 and the integrator 30 and to control velocity of the VCM in the window/compare block 35 during every seek command (see column 3, lines 15-39 and FIG. 1).

As noted in Applicant's response of June 15, 2005, **Mazda** discloses that step 160 ends with the actuator/head at the inner diameter track, but fails to disclose such movement ends at a predetermined position contacting a stopper, as disclosed on page 19, line 8 of the specification of the instant application.

Accordingly, claim 16 has been amended to recite this distinction.

Thus, the 35 U.S.C. § 102(b) rejection should be withdrawn.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Mazda in view of McKenzie et al. (previously applied).

Applicant respectfully traverses this rejection.

As noted in Applicant's previous response, McKenzie et al. has been cited for teaching shorting of the coil to cause braking of the actuator but, like Mazda, fails to teach, mention or suggest the contact with the stopper, as recited in the amendment to claim 16, from which claim 20 depends.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

Claims 1, 3, 4, 6-8, 10, 11 and 13-15 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Mazda in view of Fayeulle et al. (previously applied).

Applicant respectfully traverses this rejection.

As noted in Applicant's previous response, the Examiner has urged that the use of the stoppers to limit the movement toward the inside diameter is well known in the art as taught by Fayeulle et al.

This may be true, but the use of a stopper is not obvious because the effect of physical stoppage of the motion of the actuator by contact with the stopper on the control of the actuator by the motor is not taken into account in Mazda. In contrast, the present invention utilizes the stopper as part of the control of the motion of the actuator.

Furthermore, **Fayeulle et al.** fails to teach, mention or suggest a third step of monitoring the velocity of said head after said movement control of said first step and shifting to said second step when the velocity of said head is a predetermined velocity or less for a first predetermined period of time while said head is in contact with said stopper, as partially recited in claim 7 of the instant application.

Accordingly, claim 1 has been amended to recite this feature, while claim 7 has been canceled.

Similarly, **Fayeulle et al.** fails to teach, mention or suggest similar limitations partially recited in original claims 14 and 22. Accordingly, claims 14 and 22 have been canceled and their limitations have been added to claims 8 and 16, respectively, along with the limitation “for a first predetermined period of time while said head is in contact with said stopper.”

Mazda discloses monitoring the velocity for controlling velocity of the VCM in the window/compare block 35 during every seek command (see column 3, lines 15-39 and FIG. 1), not during the retracting sequence.

In contrast, in the present invention, the velocity is monitored for judging whether or not the actuator reaches the stopper during the retracting sequence.

Accordingly, claims 1, 8 and 16 have been amended to recite that the velocity of the head is monitored by detecting a back electromotive force of an actuator for moving said head.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

Claims 2 and 9 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Mazda in view of Fayeulle et al.

Applicant respectfully traverses this rejection.

As noted above, Fayeulle et al. fails to teach, mention or suggest the limitations in the claims 1 and 8, as amended, from which claims 2 and 9 respectively depend.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

Claims 5 and 12 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Mazda in view of Fayeulle et al. and McKenzie et al.

Applicant respectfully traverses this rejection.

Fayeulle et al. and McKenzie et al. both fail to teach, mention or suggest the features in claims 1 and 8, as amended, from which claims 5 and 12 respectively depend.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 1-6, 8-13 and 15-21, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/694,742
Response to Office Action dated August 30, 2005

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures: Petition for Extension of Time
Check in the amount of \$120.00

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